

SENATE BILL 897
By Clabough

a*55,62

AN ACT to amend Tennessee Code Annotated, Title 55 and Title 62.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-17-102(2)(A), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(2)(A) Any person offering motor vehicles for sale to the highest bidder where buyers are licensed motor vehicle dealers or their duly authorized agents;

SECTION 2. Tennessee Code Annotated, Section 55-17-102(17), is amended by adding the following new subdivision:

(17)(F) An individual who is acting as an authorized agent of one (1) or more motor vehicle dealers solely for the purpose of buying, selling or exchanging motor vehicles at an automobile auction on behalf of such motor vehicle dealer or dealers;

SECTION 3. Tennessee Code Annotated, Section 55-17-114(d)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following:

If acting as an automobile auction as defined in § 55-17-102(2)(A), willfully permitted any person or persons to buy, sell or exchange motor vehicles in such automobile auction sales without first determining that such person or persons are duly

licensed motor vehicle dealers or duly authorized agents of a motor vehicle dealer or dealers.

SECTION 4. Tennessee Code Annotated, Section 62-19-125, is amended by adding the following new subsection:

(h) It is the finding of the general assembly that automobile auctions as defined in § 55-17-102(2)(A), are well regulated by the Tennessee motor vehicle commission as defined in § 55-17-102(4). In order to avoid waste and duplication of regulatory effort, notwithstanding any statute or regulation to the contrary, the Tennessee auction commission shall issue a gallery license or gallery branch license as appropriate to an automobile auction or branch thereof upon payment of a fee required for issuance of such gallery license or gallery branch license and upon demonstration that a license as an automobile auction or branch thereof has been issued to such auction or branch by the Tennessee motor vehicle commission. Such a gallery license shall not give the license holder the right to call bids or act as an auctioneer at any time and automobile auctions holding such gallery licenses must have a licensed auctioneer to call bids at all auctions. Notwithstanding any other statute or regulation to the contrary, except as to the requirement of hiring licensed auctioneers to call bids, automobile auctions shall not otherwise be subject to regulation by the Tennessee auction commission.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.